

**FINDING OF NO SIGNIFICANT IMPACT and NOTICE TO PUBLIC OF REQUEST FOR
RELEASE OF FUNDS (FONSI/NOI/RROF)**

RECEIVED

APR 11 2016

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

April 7, 2016
Big Horn County
P.O. Box 908
Hardin, MT 59034
406-665-9700

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or before April 26, 2016 the above-named Big Horn County will request the Montana Department of Commerce (DOC) to release Community Development Block Grant (CDBG) funds provided under Title I of the Housing and Community Development Act of 1974, as amended (PL 93-383) for the following project:

Crow Agency Phase 3c Wastewater Improvement Project

The proposed project will replace approximately 6,720 linear feet of wastewater main, circa 1968, in the west sector and replace and relocate the East Frontage Road lift station, circa 1994, in the south sector of Crow Agency.

Crow Agency, Big Horn County, Montana

Finding of No Significant Impact

It has been determined that such request for release of funds will not constitute an action significantly affecting the quality of the human environment and accordingly the above named Big Horn County has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (PL 91-190).

The reasons for the decision not to prepare such Statement are as follows:

Main replacements, in general, will be located in the same location as the existing mains, except for cases in which separation requirements from other utilities require minor realignment. New sewer mains, wherever practical, will be located in existing roadways or alleys. The East Frontage Road Lift Station will be relocated to an area that does not experience flooding. There are no significant adverse impacts identified to the land within or near the improvements.

An Environmental Review Record documenting review of all project activities in respect to impacts on the environment has been made by the above-named Big Horn County. This Environmental Review Record is on file at the above address and is available for public examination and copying upon request between the hours of 8:00am and 4:00pm.

No further environmental review of such project is proposed to be conducted prior to the request for release of CDBG project funds.

Public Comments on Findings

All interested agencies, groups and persons disagreeing with this decision are invited to submit written comments for consideration by Big Horn County to the Board of County Commissioners at 121 West 3rd Room 302 or P.O. Box 908 in Hardin, MT 59034 on or before April 22, 2016. All such

comments so received will be considered and Big Horn County will not request release of funds or take any administrative action on the project prior to the date specified in the preceding sentence.

Release of Funds

Big Horn County will undertake the project described above with CDBG funds provided by DOC under Title I of the Housing and Community Development Act of 1974, as amended Big Horn County is certifying to DOC that Big Horn County and Sidney Fitzpatrick, in his official capacity as Chairman of Board of Commissioners consents to accept the jurisdiction of the Federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making, and action; and that these responsibilities have been satisfied. The legal effect on the certification is that upon its approval, Big Horn County may use the CDBG funds and DOC will have satisfied its responsibilities under the National Environmental Policy Act of 1969.

Objections to State Release of Funds

The Department of Commerce will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases:

- (a) that the certification was not in fact executed by the chief executive officer or other officer approved by the Department of Commerce;
- (b) that the applicant's environmental review record for the project indicates omission of a required decision, finding, or step applicable to the project in the environmental review process;
- (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by DOC; or
- (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental design.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and may be addressed to: Department of Commerce, Community Development Division, 301 S. Park Avenue, P.O. Box 200523, Helena, Montana 59620.

Objections to the release of funds on bases other than those stated above will not be considered by DOC. No objection received after May 13, 2016 will be considered by DOC.

April 7, 2016
Sidney Fitzpatrick, Chairman of Board of Commissioners
121 West 3rd Room 302
Hardin, MT 59034
